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LETTER DATED 31 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 31 May 1998 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq, giving details of the fresh incursion into the territory of the Republic of Iraq carried out by the Turkish armed forces and calling on the United Nations to meet its responsibilities under the Charter and to halt the intimidation and aggression to which Iraq is constantly being subjected.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

Annex

Letter dated 31 May 1998 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my letter dated 8 February 1998 addressed to you (S/1998/126, annex), I should like to call your attention to the fact that on 22 May 1998 the Turkish armed forces, supported by the air force, carried out a fresh incursion into the territory of the Republic of Iraq. The particulars are set forth hereunder.

1. On 22 May 1998 the Turkish armed forces carried out a fresh incursion into northern Iraq. Turkish forces estimated to number several thousand, closely supported by the Turkish air force, advanced deep inside Iraqi territory at a number of points along the two countries' common border.

2. Beginning at 1105 hours on 25 May 1998 Turkish fighter aircraft violated the airspace of the Republic of Iraq with two sorties. The violations were centred on the Baibo, Amadiyah and Zakho areas.

3. On 26 May 1998 a spokesman for the Turkish Ministry of Foreign Affairs issued a statement confirming the said incursion and reiterating the same pretexts as given for each previous incursion, namely that it had the aim of pursuing groups that pose a threat to Turkish national security.

The Government of the Republic of Iraq condemns the ongoing encroachments and violations of the Turkish armed forces in the strongest terms, and it rejects outright the arguments that Turkey has been using to justify its repeated incursions into our territory.

The claim of being in pursuit of elements that are in revolt against the Turkish Government in order to halt their activities does not permit the Turkish armed forces to invade and violate Iraq's territory. Turkey has persistently fabricated flimsy pretexts and excuses for these acts of aggression. At the same time, it is the policy pursued by the Government of Turkey in cooperation with the Governments of the United States of America and the United Kingdom of maintaining an unlawful no-flight zone that is creating an anomalous situation in northern Iraq.

The Turkish Government's repeated acts of aggression constitute a grave breach of Iraq's sovereignty and territorial integrity and a violation of the principles governing relations of good-neighbourliness and of the 1926 Iraq-Turkey boundary agreement.

As it calls upon the Turkish Government to withdraw its invading forces forthwith from Iraqi territory and to desist from any repetition of these constant belligerent actions, Iraq holds Turkey fully responsible, in accordance with the principle of State responsibility, for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives. The Government of Iraq also reserves its legitimate

right under international law to determine an appropriate response to this brutal military aggression and to seek compensation for the damage caused by Turkey's repeated encroachments and its violations of Iraqi territory as well as for the human suffering sustained by Iraqi citizens owing to these actions.

At the same time, the Government of the Republic of Iraq renews its call to the Government of the Republic of Turkey to abandon its dangerous policy, which clearly contributes to perpetuating the anomalous situation in northern Iraq in cooperation with the Governments of the United States of America and the United Kingdom for the purpose of implementing a hazardous scheme for interference in the internal affairs of Iraq.

As, through you, I reiterate my country's call to Turkey to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities under the Charter and will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Tariq AZIZ
Deputy Prime Minister
and Minister for Foreign Affairs
of the Republic of Iraq